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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 005482

SIPDIS

IMMEDIATE

E.O. 12958: DECL: 12/22/2012

TAGS: [PREL](#) [KPOW](#) [IZ](#) [KU](#) [ICRC](#)

SUBJECT: (C) MEETING OF TRIPARTITE COMMISSION ON GULF WAR
MISSING, GENEVA, DECEMBER 18, 2002

REF: KUWAIT 05293

[1](#)1. (C) As pre-arranged, the Tripartite Commission on Gulf War Missing and POWs (TPC) met in Geneva December 18 and approved a rule suspension designed to revive Iraqi participation after 4 years of boycott. The minutes (text at paragraph 2 below) were pre-agreed. Iraq signed them in Baghdad early Dec. 18 in the presence of ICRC, which faxed them to Geneva. The other members then gathered to sign the minutes which were faxed to Baghdad. Each member state kept an original of the document it signed, and will in due course receive an original of the other via ICRC pouch.

[1](#)2. (C) Text of the Minutes follows:

BEGIN TEXT:

Minutes of the 24th Tripartite Commission Meeting
18 December 2002

[1](#)1. On 18 December 2002 the 24th session of the Tripartite Commission took place.

[1](#)2. The Tripartite Commission agreed to extend the mandate of the Technical Sub-Committee until the next meeting of the Tripartite Commission.

[1](#)3. The Tripartite Commission formally endorsed the following:

To suspend the Technical Sub-Committee's quorum rule No 8 for a period of four (4) months as permitted by rule No 16 in order to allow meetings between Iraq and any other Tripartite Commission member to address cases previously discussed in the Tripartite Commission in the presence of a third Tripartite Commission member mutually agreed between Iraq and the other party.

[1](#)4. The Tripartite Commission took note that the Republic of Iraq, the State of Kuwait and the Kingdom of Saudi Arabia agree to meet under the provisions of point 3 above. The first meeting will take place at 09h00 on 8 January 2003 at the ICRC Delegation in Amman, Jordan. This does not preclude other member states meeting with Iraq under the provisions of point 3 above.

[1](#)5. The Tripartite Commission decided to hold its next meeting in Geneva on 16 April 2003.

/s/

H.E. Ambassador Bernard Kessedjian
Republic of France

/s/

H.E. Ambassador Abdulwahab
Abdulsalam Attar
Kingdom of Saudi Arabia

/s/

Dr. Abdelmenhem Al-Qadhi
Republic of Iraq

/s/

H.E. Ambassador Simon W. J. Fuller
United Kingdom of Great Britain
and Northern Ireland

/s/

Dr. Ibrahim Al-Shaheen
State of Kuwait

/s/

H.E. Ambassador Richard H. Jones
United States of America

Geneva, 18 December 2002

END TEXT.

[1](#)3. (C) All delegations were given a chance to speak after the signing ceremony, though their statements were not for the formal record. Only Kuwait and the USG spoke substantively, with Kuwait hoping this "breakthrough" would bring progress on all cases including that of U.S. Naval aviator Captain

Michael Scott Speicher. Ambassador Jones delivered the following remarks which ICRC undertook to convey to Iraq:

BEGIN TEXT:

USG remains committed to fullest possible accounting for all POWs and missing persons from the Gulf War, including Iraqis.

TPC is the internationally-recognized apolitical forum for direct discussions among the parties to the conflict to address these issues.

USG deeply appreciates the tireless efforts of ICRC as chair of the TPC, and in its unique capacity as neutral humanitarian organization.

The case of Captain Michael Scott Speicher is still very much open. His formal status based on the available evidence is "Missing - Captured."

We call upon Iraq to provide without further delay all information in its possession as to Captain Speicher's fate and whereabouts. This is both a humanitarian obligation and an international legal obligation.

Under the temporary suspension of the TSC quorum rule, USG will wish to meet with Iraq for substantive discussion of the Speicher case, at an appropriate time, and of any cases the Government of Iraq may wish to raise.

Decision whether to extend the suspension of the TSC quorum rule will depend on whether this experimental arrangement leads to real progress to resolve outstanding cases not just holding meetings for the sake of holding meetings.

END TEXT.

14. (C) As ICRC noted and promised to stress to Iraq, the decision on whether to extend the rule suspension will depend on tangible results.

JONES